

## I. Elections in Poland and Germany

### Kaczynski beats Tusk

In a surprise result, the conservative Mayor of Warsaw, Lech Kaczynski, has beaten his liberal rival, Donald Tusk, to become the President of Poland. Tusk had come first in the first round and was supposed to win easily. Kaczynski's victory is therefore yet another defeat for the opinion pollsters. The polls were wrong in Germany as well, where they predicted an easy win for Angela Merkel and the Christian Democrats. They also predicted a win for John Kerry in the US in 2004. Tusk was strongly pro-“business” and had a great deal of support in the West: maybe this is one reason why the polling agencies found in his favour. However, the turnout was tiny – nearly 50 per cent of Poles did not bother to vote in their election. (This may be because there has been such a massive emigration from that country in the last couple of years, as Poland has the highest unemployment rate in the whole EU.) Lech Kaczynski's twin brother, Jaroslaw, is the leader of the Law and Justice Party, which won the parliamentary elections last month. Lech paid homage to his brother on Sunday night when his victory had become clear, saying “Mr. Party President, we have achieved our objectives,” thus crediting his brother with being the true author of their double strategy. But Kaczynski did not publicly thank Andrzej Lepper, the leader of the very anti-EU Self-Defence Party. Lepper's voters voted in huge numbers for Kaczynski in the second round. Even though Lepper's party polled more votes than the Civic Platform, it is with the latter party that Law and Justice will govern in coalition: Self-Defence is not considered *salonfähig* enough to be in government. [Christophe Châtelot, *Le Monde*, 25<sup>th</sup> October 2005]

The new Prime Minister, Kazimierz Marcinkiewicz, has drawn up the new coalition. Most portfolios have now been doled out. The Deputy Prime Minister is to come from the Civic Platform; Jan Rokita will also be Foreign Minister, and will therefore have responsibility for European integration, to which he is deeply committed.

Kaczynski's victory has been very tepidly welcomed in most sections of the European press. The fashionable liberal newspapers in Poland have denounced him as a populist and a Eurosceptic, largely because he won thanks to the support of the Catholic traditionalist League of Polish Families and the national-populist Self-Defence Party led by

Andrzej Lepper. The big liberal daily, *Rzeczpospolita*, immediately said, “We will soon be ashamed of this president.” Kaczynski made immediate efforts, therefore, to present himself as a moderate. He said that his first trip abroad would be to George Bush, and then that he would go and see the Pope in Rome. On the other hand, he has stated his firm opposition to the Centre for Expulsions, which the German expellees want to open in Berlin. This has been a bone of contention between Poland and Germany for some time. He has also given Germany a clear warning that if there is one single legal suit for damages brought by a German citizen against Poland, then Poland will sue for the massive damages the Germans caused in Poland from 1939 onwards. Five days before the election, Kaczynski published a report estimating the damage done to Warsaw by the Germans at some €45 billion. Kaczynski also said that he strongly opposed the construction of a gas pipeline from Russia to Germany under the Baltic Sea: Poland does not want to be bypassed in this way.

Kaczynski has also been attacked by the EU Commissar for Justice, the former Italian Foreign Minister, Franco Frattini. Kaczynski had said that he wanted to reintroduce the death penalty but Frattini slapped him down, saying that the death penalty was incompatible with the EU Charter on Fundamental Rights. Frattini also said that Kaczynski's stand against gay rights and abortion was also incompatible with the EU's fundamental principles. [*Der Standard*, 25<sup>th</sup> October 2005]

Another reason why liberals regard the Kaczynski brothers with suspicion is that Jaroslaw publicly thanked Father Rydzyk, the founder and director of Radio Maryja, the Catholic radio station which is listened to by millions of Poles and which has a clearly conservative editorial line. The incumbent President, Alexander Kwasniewski, joined in this denunciation of the man who had just won the elections by saying that he would have to make an effort “in order to dissipate suspicions of nationalism and Euroscepticism.”

Although the Polish right is both moderately Eurosceptic (the Kaczynski brothers campaigned against the European Constitution, principally because it reduces Poland's voting power) and also viscerally attached to the trans-Atlantic relationship, Warsaw is unlikely to become an ally of London now.

The Poles hold Tony Blair responsible for the impasse over the EU budget, while they also resent him for his support for the gas pipeline. Far from wanting to cut EU spending, the Poles want to increase it – providing that they get a lot of money for themselves.

It is very likely that President Kaczynski will intensify Poland's agitation against Russian interests on the territory of the former Soviet Union, i.e. in Belarus and Ukraine. He thinks that Poland is a bulwark against Russian expansionism, and he wants to encourage "democratisation" in the countries on Poland's eastern border. Kaczynski has called for the integration, in the long term, of both Belarus and Ukraine into the EU. [Arielle Thedrel, *Le Figaro*, 25<sup>th</sup> October 2005]

### **Stoiber haggles for more power**

Edmund Stoiber, the Prime Minister of Bavaria and the veteran leader of the Christian Social Union, the Bavarian sister party of the Christian Democratic Union, has agreed in principle to leave Munich and come to Berlin to serve in Angela Merkel's Government. However, this heavyweight of German politics does not intend to be any ordinary minister. He wants to be given a super ministry with powers taken from other existing ministries. This is irritating Mrs Merkel, who already has enough on her plate trying to construct a coalition government with a majority of Social Democrat ministers. Stoiber's demands, however, are bolstered by the fact that, although Mrs Merkel won the elections by a very small margin, the Christian Democrats' score was

much lower under her leadership than it had been when Stoiber was the candidate for chancellor in 2002. Stoiber was initially offered Ministry of Finance but he knows that it would be an unpopular portfolio at a time when the state budget is in dire straits. Instead he wants a large Ministry of the Economy and Technology. Further, he wants the difficult issues of labour law and social affairs to be taken out of the competence of the Ministry of the Economy, and for the Ministry to acquire instead new powers of Research and Development. These plans for empire-building have already been rejected by Stoiber's CDU colleagues, especially the one who was hoping to take over the ministry Stoiber wants. Negotiations are continuing between Stoiber and Merkel. Stoiber has also irritated Peer Steinbrück, the man who is to be Minister of Finance, because he has demanded powers over European integration. The two men also share different views about economic management: Stoiber is quite an interventionist, whence his desire to have power over R&D. Bavaria is the leading part of Germany for hi-tech thanks in part to Stoiber's interventionism there. So Stoiber would want to spend money while Steinbrück's job would be to cut back spending in order to conform to the Stability Pact rules on budget deficits. Stoiber has even questioned the authority of Mrs Merkel herself, saying that in the specific circumstances of a Grand Coalition, she should not really have the right to set the direction of the Government's policies. [Antoline Jacob, *Le Monde*, 25<sup>th</sup> October 2005]

## **II. Other European News**

### **Austrian president wants EU-wide referendums**

The President of Austria, Heinz Fischer, has said that serious thought should be given to the idea of holding pan-EU referendums. Speaking alongside the German President, Horst Köhler, at a meeting with the President of Switzerland, Samuel Schmid, and Crown Prince Alois of Liechtenstein in Salzburg, Fischer presumably put the idea forward as a means of enabling Europe to ratify the EU Constitution, rejected in national referendums in the Netherlands and France earlier this year. Horst Köhler agreed with his Austrian colleague that pan-EU referendums would be a good way to bridge the gap between European elites and the people. Both men admitted, however, that their views were minority views. The Constitutions of both Austria and Germany would have to be amended to allow for such referendums, since they are either not allowed or strictly regulated by both texts. [*Der Standard*, 25<sup>th</sup> October 2005]

### **EU wants WTO agreement on agriculture**

EU agriculture ministers have met again to try to sort out their differences with the World Trade Organisation – and also between themselves – on agricultural subsidies. France is accusing the Commission of having exceeded its own powers by offering too many concessions on the opening up of the EU agricultural market. The spokesman of the Elysée Palace said that France would scrutinise carefully the equilibrium between the proposals made by the EU and those made by her main commercial partners. The agro-industry unions are worried by the negotiations as well: they say that 15 per cent of French jobs will be affected by the decisions taken within the framework of the WTO negotiations in Geneva on trade in agricultural products. The main hate figure in France on these issues is the Trade Commissar, Peter Mandelson. Mandelson insists that Europe will have to open up its agricultural market if it wants to gain access to agricultural markets

elsewhere in the world. The latest proposals made by the EU in the WTO negotiations are for European subsidies to agriculture to be cut by 70 per cent and for customs duties on agricultural imports to be cut by between 20 and 50 per cent. This is the EU's response to the USA's proposal to cut subsidies by 60 per cent. But the proposal has infuriated the French Government. The Foreign Minister, Philippe Douste-Blazy, said that the Commission had overstepped the red line. France, he said, could not accept a WTO decision which would jeopardise the CAP reforms which the EU had already agreed, and which do not go as far as Mandelson and the Commission is now proposing. [*Le Monde*, 24<sup>th</sup> October 2005]

### **Schengen data could be misused**

The EU's data protection officer, Peter Hustinx, has warned that the information stored by the Schengen system might fall into the wrong hands and be misused. In the present Schengen system, only certain authorities have the right to access information on people and vehicles which are being sought. The new Schengen system SIS II, however, will be open to others, and the information will not be restricted only to people involved in border control. "This represents a fundamental change in the present system and increases the risk of misuse. This is why stronger guarantees are necessary." The officer says that innocent European citizens could be treated unjustly if the information was not properly handled. His office, which monitors the Schengen system, has found that more than one third of the information about the dates on which people entered the Schengen area were wrong or out of date. Mr Hustinx also said that the accuracy of biometric data had also been exaggerated: such data were far less reliable than people claimed. It was essential, he said, that the risks of using such data be properly analysed and that appropriate guarantees be developed. [*Der Standard*, 24<sup>th</sup> October 2005]

### **Barroso calls on EU leaders to agree budget**

The President of the European Commission, José Manuel Barroso, has called on EU leaders to come to swift agreement on the budget for 2007-2013. Barroso has suggested that a larger part of the agricultural subsidies be transferred to the rural development budget. Few diplomats expect there to be any agreement by the end of this year, however, since few expect the British Government to give ground on its famous 'rebate'. [*Frankfurter Allgemeine Zeitung*, 21<sup>st</sup> October 2005]

### **Kosovo in turmoil**

The United Nations Security Council voted unanimously on Monday for negotiations to begin on

the final status of the Serbian province of Kosovo. The aim is supposed to be the creation of a multi-ethnic Kosovo, although inter-ethnic relations have gone from bad to worse in the six years since Yugoslavia was attacked by NATO. The final status is also supposed to contribute to stability in the region. This week, the Secretary General of the UN is to appoint a special representative who is to mediate in the negotiations. The representative in question is likely to be the former Finnish President, Martti Ahtisaari, who negotiated the end to the Kosovo war in 1999. The Prime Minister of Kosovo, Bajram Kosumi, repeated his demand for independence in a letter to Kofi Annan; the Serbian President, Vojislav Koštunica, has also repeated his rejection of the idea. Western diplomats say that they are seeking a compromise between these two positions. [*Der Standard*, 25<sup>th</sup> October 2005]

As negotiations loom, however, the underground guerrilla army that fought the Serbs so ruthlessly in 1998-1999 has re-emerged. The rebels have threatened politicians with assassination if they do not campaign for an independent Kosovo. Reports in the Albanian language press in Kosovo speak of the reappearance of armed guerrillas in the west of the province, in the region around Pec (where there is one of the most historic of Serbia's ancient Orthodox monasteries). The guerrillas have been setting up road blocks to prevent goods arriving in the few Serbian enclaves which remain in Kosovo, the majority of the Serbs having been ethnically cleansed by Albanian freedom fighters as NATO moved in in 1999. The guerrillas wear uniforms with the letters "UPK" on them, which stands for the Army for the Independence of Kosovo. It is presumably an outgrowth of the old Kosovo Liberation Army, whose initials are UÇK, and which now controls the province. The guerrillas say they are opposed to any negotiations with Belgrade and want a war for independence. Since 15 October, men wearing black masks have been appearing regularly. Although the United Nations authorities in Kosovo dismiss the UPK as nothing but a small band of criminals, they have advised their employees not to travel in the western part of province between 6 p.m. and 8 a.m. UPK supporters say that the old KLA was formally disbanded, but that the structures remain in place for the guerrilla force to be easily reactivated. "We will get money for our struggle from our brothers in the USA, Switzerland and Germany," one said. [*Susanne Simon, Die Welt*, 22<sup>nd</sup> October 2005]

### **Commission wants agreement with Bosnia**

The EU Commission has said that it wants to conclude a Stabilisation and Association Agreement

with Bosnia & Herzegovina, the state which has been governed by the High Representative since 1995. Such an agreement constitutes a first step towards full EU membership, which is the ultimate goal of all the Balkan states including Romania, Bulgaria and the countries of former Yugoslavia. The Commission said that Bosnia & Herzegovina had made progress towards implementing the reforms which had been stipulated in November 2003 as the necessary precondition for the opening of negotiations on a Stabilisation Agreement. But the Commission said that Bosnia needed to “improve substantially” its cooperation with the International Criminal Tribunal for the former Yugoslavia in The Hague. The EU demands that various presumed war criminals be handed over, in particular the former Bosnian Serb leaders. Stabilisation Agreements have already been signed with Macedonia and Croatia. [*Die Welt*, 22<sup>nd</sup> October 2005]

#### **‘Could do better’ for Romania and Bulgaria**

Romania and Bulgaria’s accession to the EU is not yet in the bag. The Romanian President, Traian Basescu, admitted the problem when he stated clearly at a press conference in the Cotroceni Palace, “Romania has a big credibility problem, and it is called corruption.” The Commission’s report contains much to discourage the two candidate countries. The concern in Bucharest and Sofia is therefore that the European Union might make good its threat to delay accession from 1 January 2007 to 2008. The accession agreements signed with both countries contain a get-out clause which allows the EU to delay accession by one year in this way if “reforms” are judged insufficient. A majority vote by EU Governments is enough for this to happen. The corruption index issued by “Transparency International”, which monitors corruption across the world, has put Romania in 85<sup>th</sup> place alongside Mongolia and the Dominican Republic. But there are other issues over which the EU has expressed concern in Romania, including the independence of the judiciary, the question of how gypsies are treated, the fight against organised crime, international competitiveness, environmental issues and border protection. This negative judgement on Romania comes in spite of the fact that the new President was elected last December precisely on an anti-corruption ticket. The Commissar for enlargement, Olli Rehn, criticised Bulgaria as well when he said it was not doing enough to fight organised crime. Mafia attacks were a grave and increasing problem in the country, he said. [Stefanie Bolzen, *Die Welt*, 25<sup>th</sup> October 2005]

The Romanian Minister of Justice, Monica Macovei, has said that she wants to be able to sack judges if they do not fight corruption assiduously enough. Eight investigating judges have been sacked already, allegedly for allowing investigations to drag on for too long if they involved politicians. She told an Austrian newspaper, “I will not permit any pressure to be put on judges,” although presumably by threatening to sack them that is just what she is trying to do herself. Mrs Macovei said that the reform process was “irreversible”, despite resistance to change within her own ministry. [*Der Standard*, 25<sup>th</sup> October 2005]

#### **Paris to convoke Security Council over Syria**

The French Foreign Minister, Philippe Douste-Blazy, wants to call a meeting of the United Nations Security Council following the UN report which accused the Syrian leadership of complicity in the assassination of the former Lebanese Prime Minister Rafik Hariri. Following the BBC interview in which the US Secretary of State, Condoleezza Rice, and the British Foreign Secretary, Jack Straw, called for “a decisive reaction by the West”, France has evidently also wanted to put in its pennyworth and called for sanctions against “any country” which may have been involved in planting the bomb. The French Foreign Minister called for an immediate meeting of the Security Council and called on Syria to cooperate fully with the UN’s rapporteur. “If that does not happen, then Detlev Mehlis (the rapporteur, a Berlin lawyer) will tell us and there will be consequences.” However, it remains unclear whether France, the United Kingdom and the United States will be able to win over the other UN Security Council permanent members, China and Russia, to their call for sanctions against Syria. Damascus, meanwhile, is looking for ways to defend itself. The Syrian President, Bashar Assad, has written to all Security Council members, although the contents of the letter have not been made public. The Syrian Parliament, meanwhile, has set up a commission to scrutinise Detlev Mehlis’ work, because the Syrian authorities have accused him of being an American puppet. Damascus has said that the report is politically motivated by the US aim of establishing hegemony over the entire Middle East. The Syrian Government has denounced the Mehlis report as full of “contradictions and distorted information” and has said that it was based on “unreliable witnesses who were not credible”, and above all that it contained “baseless suspicions”. [Boris Kalnoky, *Die Welt*, 25<sup>th</sup> October 2005]